

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JAMES THOMAS, JR.,)	CASE NO. 1:09CV1159
)	
)	
Plaintiff,)	JUDGE SARA LIOI
)	
vs.)	
)	
LORAIN COUNTY COMMUNITY)	MEMORANDUM OPINION AND
COLLEGE,)	ORDER
)	
)	
Defendant.)	

Before the Court is the report and recommendation of Magistrate Judge George J. Limbert recommending that this Court grant Defendant Lorain County Community College's motion to dismiss Plaintiff James Thomas, Jr.'s, complaint. (Doc. No. 15.) Under the relevant statute:

[. . .] Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1)(C); FED. R. CIV. P. 72(b); LOCAL R. 72.3. In this case, the fourteen-day period has elapsed and no objections have been filed nor has any extension of time been sought. The failure to file written objections to a Magistrate Judge's report and recommendation constitutes a waiver of a de novo determination by the district court of an issue covered in the report. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *see United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

The Court has reviewed the Magistrate Judge's report and recommendation and adopts the same. Accordingly, Defendant's motion to dismiss is **GRANTED**. This case is closed.

IT IS SO ORDERED.

Dated: April 7, 2010



HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE